UN	NITED	STAT	ES DIS	STRICT	COU	RT
SO	UTHE	ERN D	ISTRIC	CT OF N	NEW Y	ORK

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Betty Mile	ors Guild, Inc., Associational Plaintiff, es, Joseph Goulden, and Jim Bouton, ly and on behalf of all others similarly	: : : : : : : : : : : : : : : : : : : :	Case No. 05 CV 8136-DC
	Plaintiffs,	:	
	V.	:	FILED UNDER SEAL
Google In	c.,	:	PUBLIC VERSION
	Defendant.	:	
		:	
		- X	

DECLARATION OF MICHAEL J. BONI IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANT GOOGLE'S MOTION FOR SUMMARY JUDGMENT

- I, Michael J. Boni, declare pursuant to 28 U.S.C. § 1746 as follows:
- 1. I am a partner in Boni & Zack, LLC, counsel for plaintiffs in this litigation and admitted *pro hac vice* in this Court. I submit this declaration in support of Plaintiffs' Opposition to Defendant Google's Motion for Summary Judgment.
- 2. Attached hereto as Exhibit 1 is a true and correct copy of a compilation of Google snippet displays from Jim Bouton's baseball memoir *Ball Four*, which was compiled by a paralegal based on searches run between July 12 and August 22 on the Google Books page for *Ball Four*, located at http://books.google.com/books/about/Ball_four.html?id=FSs9AAAAIAAJ.
- 3. Attached hereto as Exhibit 2 is a true and correct copy of a compilation of Google snippet displays from Joseph Goulden's history *Superlawyers*, which was compiled by a paralegal based on searches run between July 12 and August 22 on the Google Books page

for *Superlawers*, located at http://books.google.com/books/about/
The super lawyers.html?id=AtO7AAAAIAAJ

- 4. Attached hereto as Exhibit 3 is a true and correct copy of Google snippet displays from Betty Miles's novel *The Trouble with Thirteen*, which was compiled by a paralegal based on searches run between July 12 and August 22 on the Google Books page for *The Trouble with Thirteen*, located at http://books.google.com/books/about/
 The_Trouble_with_Thirteen.html?id=FCfsNpPWOc0C
- 5. Attached hereto as Exhibit 4 is a true and correct copy of internal memos produced by Google to The American Society of Media Photographers, Inc., which has been designated as Confidential by Google and is being filed UNDER SEAL.
- 6. Attached hereto as Exhibit 5 is a true and correct copy of the cover, table of contents, and complete Chapter Two with Answer Key for *The Seinfeld Aptitude Test* by Beth Golub (Carol Publish Group, 1994).
- 7. Attached hereto as Exhibit 6 is a true and correct copy of the cover, table of contents, and first three pages of each chapter from *Welcome to Twin Peaks* (1990 Publications International Ltd.).
- 8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the Deposition of Bradley Hasegawa, February 13, 2012, pp. 19-23, 41-42, 52-61, 73-75, 79-80, which has been designated as Confidential by Google and is being filed UNDER SEAL.
- 9. Attached hereto as Exhibit 8 is a true and correct copy of a print out from a webpage on Amazon.com, which was obtained by clicking on the "Amazon" link on the Google Books page for Joseph Goulden's book *Superlawyers*.

- 10. Attached hereto as Exhibit 9 is a true and correct copy of print out from a webpage page on Amazon.com, which was obtained by running a search on Amazon.com for "Steve Hovley."
- 11. Attached hereto as Exhibit 10 is a true and correct copy of print out from a webpage page on Amazon.com, which was obtained by running a search on Amazon.com for "Minoru Yasui."

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct, and that this declaration was executed on August 4, 2013 in Bala Cynwyd, Pennsylvania.

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